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E-filed 06/27/08

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11 Intel Corporation

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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

INTEL CORPORATION, a Delaware
corporation,

Case No. CV 08 2129 HRL

Plaintiff,

STIPULATED PERMANENT INJUNCTION;
[PROPOSED] ORDER

v.

INTELLINITIATIVE, INC., a Delaware
corporation,

Defendant.

The Parties hereto have reached a negotiated settlement of all claims which includes the entry
of the following injunction against Defendant Intellinitiative, Inc. ("Intellinitiative"):

WHEREAS, Plaintiff Intel Corporation ("Intel") filed this action against Intellinitiative on
April 24, 2008, asserting claims of Federal Trademark Infringement, Federal Trademark Dilution,
Federal False Designation of Origin, California Trademark Infringement, California Trademark
Dilution, California Statutory Unfair Competition, and California Common Law Passing Off and
Unfair Competition; and

WHEREAS, the Parties have settled their dispute and respectfully ask that the Court enter
this injunction.

1 | **Accordingly, ORDERED, ADJUDGED, and DECREED as follows:**

- 2 |
- 3 | 1. As of February 28, 2009, Intellinitiative and its officers, agents, servants, employees,
4 | owners and representatives, and all other persons, firms or corporations in active concert
5 | or participation with it, are permanently enjoined and restrained from using in any manner
6 | the INTEL mark, or any name, mark or domain name that wholly incorporates the INTEL
7 | mark or is confusingly similar to or a colorable imitation of this mark, including, without
8 | limitation, the Intellinitiative, Inc. trade name, the INTELLINITIATIVE trademark, and
9 | the domain names intellinitiative.com, intellinitiative.net, and intellinitiative.biz.
- 10 |
- 11 | 2. As of February 28, 2009, Intellinitiative and its officers, agents, servants, employees,
12 | owners and representatives, and all other persons, firms or corporations in active concert
13 | or participation with it, are permanently enjoined and restrained from doing any act or
14 | thing calculated or likely to cause confusion or mistake in the minds of members of the
15 | public, or prospective customers of Intel's products or services, as to the source of
16 | products or services offered for sale, distributed, or sold, or likely to deceive members of
17 | the public, or prospective customers, into believing that there is some connection between
18 | Intellinitiative and Intel.
- 19 |
- 20 | 3. As of February 28, 2009, Intellinitiative and its officers, agents, servants, employees,
21 | owners and representatives, and all other persons, firms or corporations in active concert
22 | or participation with it, are permanently enjoined and restrained from committing any acts
23 | which will tarnish, blur, or dilute, or are likely to tarnish, blur, or dilute, the distinctive
24 | quality of the famous INTEL mark.
- 25 |
- 26 | 4. No later than February 28, 2009, Intellinitiative shall take all steps necessary to remove
27 | the name "Intellinitiative," and any other of its business names that contain "Intel," from
28 |

1 the records of the States of Delaware and Massachusetts, and any other states in which
2 Intellinitiative is incorporated or qualified to do business.

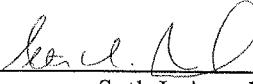
3 5. No later than May 26, 2008, Intellinitiative shall formally abandon its application under
4 Serial No. 76661833 to register the mark INTELLINITIATIVE in the United States Patent
5 and Trademark Office.

6 6. No later than February 28, 2009, Intellinitiative shall remove all content from the websites
7 www.intellinitiative.com, www.intellinitiative.net, and www.intellinitiative.biz, and shall
8 let the domain registrations lapse when they are set to expire on February 16, 2013, May
9 2, 2012, and May 1, 2012, respectively.

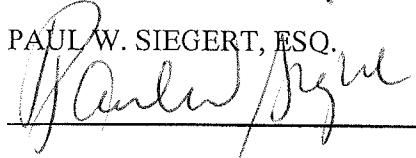
10 Dated: May 30, 2008

11 Respectfully submitted,

12 HARVEY SISKIND LLP

13 14 By: 
15 Seth I. Appel

16 Attorneys for Plaintiff
17 INTEL CORPORATION

18 PAUL W. SIEGERT, ESQ.
19 

20 21 Attorney for Defendant
22 INTELLINITIATIVE, INC.

23 24 IT IS SO ORDERED this 25 day of June, 2008

25 26 27 28 
The Honorable Howard R. Lloyd
United States Magistrate Judge

THIS SHALL CERTIFY THAT NOTICE WILL BE SENT TO:

Seth I. Appel sappel@harveysiskind.com
D. Peter Harvey pharvey@harveysiskind.com
Paul W. Siegert, Esq., 15 East 32nd Street, 3rd Floor, New York, NY 10016

* Counsel are responsible for providing copies of this order to co-counsel who have not registered for e-filing.

Date: 06/27/08

MPK
Chambers of Magistrate Judge Howard R. Lloyd